

Fair Tonight;  
Unsettled Saturday.

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## JUDGE RESENTS CRITICISM MADE BY LABOR HEAD

Justice Wright Replies to  
Charge Voiced on Stand  
by John Mitchell.

## LEADER OBJECTED TO DATE OF SENTENCE

Declares He Was on Way Home  
for Christmas When Court  
Order Came.

Bitter criticism of the court by John Mitchell, because he was sentenced to jail the day before Christmas, despite his appeal for a delay that he might spend the holiday with his wife and children, and prompt resentment and explanation by Justice Wright, who imposed the penalty, enlivened today's session of the contempt proceedings against the labor leaders in the District Supreme Court.

With dramatic effect, his voice shaking with emotion, the witness described the day before he was sentenced, saying he had his grip packed with Christmas toys and was about to leave New York for his home in the West, when he was summoned to Washington. He said he sent an urgent telegram to his counsel pleading for a continuance.

"It was an atmosphere of antagonism—a demand—that was conveyed to the court, a demand from the vice president of the American Federation of Labor that the date be fixed to suit his convenience," declared Justice Wright.

## Denies Any Antagonism.

Mr. Mitchell asserted that his telegram contained no such antagonism, and Judge Parker, his counsel, also added that he was certain there was a misunderstanding. Then Justice Wright declared the "demand" came from Attorney Sheridan, who had been in the court, and after judgment had been rendered it was followed by a letter and copy of the telegram in question.

"You break my heart, you humiliate me—you insult me," declared Samuel Gompers, to Attorney J. J. Darling, on cross-examination relative to a suggestion by the latter that the labor leaders had an opportunity to apologize to the court for the alleged violation of the Bucks Store and Hanger Company boycott injunction decree.

He contended that the respondents had acted wholly within their constitutional rights in the matter of free speech and free press, and that it would be an American for them to humiliate themselves by apology.

The ire of the witness was aroused on this point when reference was made to the suggestion of the United States Supreme Court, as contained in the report of the committee of prosecutors, that the defendants be prepared to make such due acknowledgment of their offense, and assurance of future submission to the court as may sufficiently answer the necessary purpose of vindicating its authority, and that of the law.

It was following the reading of this suggestion that the labor leader turned to the prosecutor and charged an attempt to break his heart, humiliate him, and insult him.

The cross-examination of President Gompers ended last night after a noon, and he left the court to permit Vice President John Mitchell to testify. Mr. Mitchell's testimony included a denial that he signed the "Trent Appeal," but with the qualification that he would have authorized his signature had he been asked, and also a declaration for free speech and freedom of the press. He complained against his sentence to jail as a result of the first contempt proceedings.

"Not even the meanest criminal, the monster who killed his mother, who assaulted the purity and chastity of our daughter, is denied the right to have his case tried by a jury," declared Mr. Mitchell. "This right is denied us for no other crime than for defending the freedom of speech and press and the amelioration of the working people."

Mitchell Calm on Stand.

Mr. Mitchell, in a calm, composed manner, several times looking straight into the face of Justice Wright, who sentenced him to jail, testified that he felt the court left no right to imprison him without a trial and that "the abuse of the injunction power has done much to lessen the confidence of the people in the integrity of the courts." He admitted he stated in a speech before the American Civic Federation and in a book, that injunctions invading legal, moral, and constitutional rights should be resisted and disobeyed.

While Mr. Gompers was on the stand he reiterated several times his willingness to take the consequences and go to jail if he was found guilty of contempt for exercising the right of freedom of speech and press.

## WEATHER REPORT.

FORECAST FOR THE DISTRICT.  
Fair tonight, becoming unsettled Saturday; moderately cold; lowest temperature tonight about 10 degrees.

TEMPERATURE.	
U. S. BUREAU.	APFLECK'S.
8 a. m. .... 13	8 a. m. .... 16
10 a. m. .... 15	10 a. m. .... 18
12 noon .... 17	12 noon .... 20
2 p. m. .... 20	2 p. m. .... 23
4 p. m. .... 23	4 p. m. .... 26
6 p. m. .... 20	6 p. m. .... 23
8 p. m. .... 17	8 p. m. .... 20
10 p. m. .... 14	10 p. m. .... 17
12 noon .... 11	12 noon .... 14
2 p. m. .... 14	2 p. m. .... 17
4 p. m. .... 17	4 p. m. .... 20
6 p. m. .... 14	6 p. m. .... 17
8 p. m. .... 11	8 p. m. .... 14
10 p. m. .... 8	10 p. m. .... 11

## Chosen by Taft



WILLIAM B. MCKINLEY.

## MCKINLEY'S CHOICE MEANS OLD GUARD CONTROL OF G. O. P.

If Taft Is Named, Congressman Will Be Next Republican Chairman.

If Congressman William B. McKinley of Illinois, who has been selected to manage the Taft pre-convention campaign, succeeds in renominating the President, he will be the next national chairman of the party.

Also if Mr. McKinley is made national chairman, he will be the next national chairman of the party.

This is the program, according to information at the White House today. Mr. McKinley was picked to lead the fight after the whole field had been canvassed, and he was found to be best equipped for the job.

And in choosing McKinley, the reactionary element of the party took complete charge of the Taft campaign. The insurgents were ignored and no compromise with them except upon Taft terms will be entertained.

Senator Penrose of Pennsylvania, Senator Crane of Massachusetts, Vice President Sherman, former Speaker Cannon, and a few more Republicans of that school have decided to take charge of the situation and to stand or fall with the President.

Mr. Hill has been looked upon as the best candidate for the leadership, but for some reason or other he has now been superseded as the real manager of the fight. He will continue his activities and will devote much of his time to the Southern situation. He is even now at work upon a general plan to prevent any further repetitions in the Southern States of the "Florida incident."

As soon as the Taft headquarters are opened in this city, though, Mr. Hill will come to figure as the real leader of the Taft forces. Mr. McKinley will have charge and he will be elevated to the chairmanship if his campaign succeeds.

A few days ago Mr. Sherman went to the White House and authorized the statement that he was for Taft, and added that Taft would be the next nominee of the party for the Presidency. Incidentally the support of Sherman by the Taft people, it is pointed out, would go far toward strengthening the President up-State in New York.

## CITATION ORDERED FOR MRS. HICHBORN

Gets Forty Days To Appear

Against Husband's Divorce Suit.

Citation of Mrs. Elmer M. Hichborn, missing defendant in the suit for an absolute divorce instituted by her husband, Philip S. Hichborn, who named Horace Wylie, formerly prominent clubman of New York and Washington, as co-respondent, was ordered today by Chief Justice Clegg in Equity Court, No. 1.

Under the terms of the order to be advertised, Mrs. Hichborn is required to appear in the suit within forty days after the first publication. Explaining why no citation was asked for Mr. Wylie, Attorney William Henry Dennis said that an order for the co-respondent to appear cannot be published until six months after his departure from Washington. In September Wylie returned to Washington after the alleged elopement with Mrs. Hichborn, and conveyed \$250,000 worth of property to her.

## SHERIDAN NOTES TESTED BY USE OF DICTAGRAPH

Lorimer Witness Takes Conversation Over Phone to Prove Ability.

## DEMONSTRATION NOT WHOLLY SUCCESSFUL

Conditions Similar to Those When McGowan Statement Was Recorded.

At a long executive session of the special committee which is investigating the Lorimer case today, a test was made of the dictagraph and of the ability of J. E. Sheridan, stenographer for the Burns agency, to take over a phone conversation from the instrument under conditions as nearly as possible like those under which Sheridan alleges he took conversation concerning admissions reputed to have been made by Charles McGowan, to the effect he had testified falsely.

## Sheridan on Stand.

Later, Sheridan was put on the stand to read to the committee from his notes. He succeeded in getting a large share of that part of the conversation which related to the Lorimer case. Fragments of it were left out and it is for the committee to conclude whether Sheridan has come up to the requirements of the test.

After the test of the ability of Sheridan to take the notes and of the use of the dictagraph, related to the Lorimer case, fragments of it were left out and it is for the committee to conclude whether Sheridan has come up to the requirements of the test. The first test was a general conversation between A. C. Bailey and Mr. Kerr and Secretary Pierce of the committee. Sheridan was alone. The second test was between Messrs. Bailey and Kerr and Ward.

## Notes Are Compared.

Secretary Pierce, of the committee, was in the room to observe how Sheridan handled the phone and took the notes. Mr. Sheridan was instructed to take down only what related to the Lorimer case.

The official stenographers of the committee were present at the executive test and took down all the conversation for the purpose of comparing what they took with what Sheridan took.

The notes were taken from Sheridan as soon as he had made them and given to him on the stand again when he read them to the committee. It appeared that while he took down much of the conversation, there were frequent breaks when he did not get what was said.

After he had read from his notes, the official stenographer read from his own, giving the committee a chance to make comparisons.

Difference of opinion prevailed after the test of whether young Sheridan had fallen down before the committee. This is a matter which probably will be one of the questions the committee itself cannot agree.

Friends of Lorimer insisted that Sheridan had made a failure of it. They said that he had taken down only a small percentage of the relative conversation and that his work today showed he had not been taken down the notes he is alleged to have taken in the McGowan case.

## Hines Offered Pay To Woman to See Message, She Says

Following on the heels of the many charges of improper use of money in one way and another in connection with the Lorimer case, another one has now been made before the special committee of the Senate. This time the charge is made by Miss Helen Seavers, telephone operator at the New Willard Hotel. Miss Seavers testified before the committee that Edward Hines, the millionaire lunatic, had offered her \$10,000 to see a message from the President.

(Continued on Second Page.)

## Author of Charges Against Hines



MISS HELEN SEEVERS.

Who Says Millionaire Offered to Pay Her for Peep at Detective's Message in Lorimer Case.

## WICKERSHAM STILL EXAMINING PAPERS IN THE LOMAX CASE

President Taft May Not Get Documents Until Next Tuesday.

President Taft may not receive the papers in the Mattie Lomax pardon case before Tuesday of next week. The Attorney General still is examining the testimony, and is not yet prepared to make his recommendations.

Unless these papers can be presented for executive consideration by tomorrow morning, Mr. Taft will not receive them before Tuesday. Early Monday morning he will go to New York and Newark, N. J., for the day and night, and will return Tuesday morning.

This delay, however, no longer worries the friends of the condemned woman. They have the promise of the President himself that he will not let her die until he has given her the benefit of every doubt, and he will find out for himself by a review of the testimony whether or not there is doubt as to her guilt.

Should the President be unable to do this by Monday, February 13, he will again issue a reprieve for the dying woman. Not only is the President convinced that the case needs attention from the standpoint of the law, but he has been impressed with the plea of leading people in and out of Washington, that it would be a misfortune if the National Capital should witness the execution of another woman.

Unless the Department of Justice has ample time to examine the testimony in the case and investigate other phases of the matter, another reprieve will be granted to Mattie Lomax, the condemned colored murderess, under sentence to die on the gallows on February 20.

President Taft has vested in the Attorney General the right to say whether there is time to determine the legal merits in the case before the date set for the hanging. In view of this fact it is expected that announcement of a reprieve will be made within a few days.

Attorneys John Tidout and Samuel D. Truitt, counsel for the woman, today expressed confidence that President Taft will commute the sentence, not out of sympathy so much as because of reasonable doubt in the case.

Mr. Truitt visited his client at the District jail today, and told her of the visit made by the delegation to President Taft early in the week. He said she is a very sick woman, and her death any day would not surprise me, said Mr. Truitt.

## APACHE IS WEDGED IN ICE AFTER FIGHT LASTING ALL NIGHT

Cutter May Be Kept Prisoner for at Least Twelve Hours.

ON BOARD APACHE (via Cristfield, Md., Feb. 9)—After a night of ceaseless vigil on the part of Captain Carmine to prevent the United States revenue cutter Apache being carried ashore by the heavy ice tides, the gallant little vessel finally gave up the fight at 7 o'clock this morning, and became firmly wedged in the ice at Somers Cove, in the little Annapolis harbor, a mile and a half from Cristfield harbor. So firmly wedged in the ice was the Apache that The Times reporter and photographer, who came from Baltimore to Holland Island on the boat, were forced to clamber over her side onto 12 inches of solid ice and to make their way to shore.

While en route to Cristfield the Apache picked up the disabled schooner Susan May, which was found leaking badly off Tangier, Capt. J. W. Sterling, of the schooner, was badly in need of medical assistance, having had his hand crushed by a heavy block of ice during a gale off the mouth of the Potomac river Saturday night.

Captain Carmine has been ordered to proceed with all haste to Newport News to attend the launching of the two newly built revenue cutters, the "Pinta" and "Miami," which is to occur Saturday morning in the yards of the Newport News Shipbuilding Company. Captain Carmine will attempt to release the Apache from her precarious condition and get under way, but it is doubtful that he will be able to do so before at least twelve hours.

Before Miss Byington took the stand it was decided that James D. Oakley, president of the Alabama State Convict Board, and James J. White, president of the United Mine Workers of America, will take the stand before the committee hears James J. Hill, the Northwest railroad king, who will take the stand on Monday, according to the present program.

"My investigations have shown," said Miss Byington, "that it is impossible to maintain a normal standard of living on less than \$15 a week. At present 60 per cent of the employees of the Homestead plant are day laborers, who are paid about \$13.50 a week."

Miss Byington presented tables to show the expenditures of the family of a steel worker receiving less than \$12 a week, as follows:

Rent, \$1.88; food, \$4.16; clothing, 31 cents; furniture, 9 cents; fuel, 28 cents; insurance, 70 cents; miscellaneous, 82 cents.

Under the head of rent, Miss Byington said this expenditure represented two small rooms in an insanitary court, (Continued on Second Page.)

## PREPARE WAY FOR THE MONEY PROBE

House Committee Confers on Plans For Inquiry, As the First Step.

The first step toward the Money trust investigation proposed by the House was taken today when members of the House Committee on Banking and Currency conferred on plans for the probe.

The Banking and Currency Committee will take up the portion of the investigation regarding the monetary system. Chairman Pujo declared today a resolution is being prepared to give the committee plenary powers to summon witnesses and examine books and papers. The resolution will be introduced soon.

The merits of the public utilities bill introduced by Senator Gallinger, and now before the Senate, will be passed upon by Interstate Commerce Commissioner Franklin K. Lane. Senators Hoke Smith and Pomerehne are eager to have the opinion of Mr. Lane upon the bill and will doubtless be guided largely by his judgment.

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## WAR DEPARTMENT PREPARES TO ACT IN MEXICAN CRISIS

Telegrams Are Sent to Governors, Asking About Strength of Militia Organizations. Ready to Move Troops.

## MADERO PLANS TO CALL SPECIAL SESSION OF CONGRESS

The Administration today abandoned all attempt to conceal its alarm over the situation in Mexico when it permitted the War Department to make known the fact that the governors of the different States and the military heads of the District of Columbia had been called upon for a report of the number of militiamen available for use in Texas. Prompt answers have been requested in order that the department may rush through its plans for the movement of these troops.

So desperate has become the situation throughout the Republic of Mexico that President Madero will call an extraordinary session of the Mexican congress to consider measures for preserving the integrity of the country.

This was the information received at the State Department today from the American embassy at Mexico City. It came on the heels of further reports showing that the whole republic is seething with revolt and that the administration is apparently helpless to restore any semblance of order.

Unofficial dispatches have been received at the War Department saying that the people of El Paso have protested against the movement of a body of Mexican troops from Loredo to El Paso, on the ground that the Mexican rebels in Juarez, across the river, will oppose their entry into that city.

## WOMAN IN STORY AT STEEL HEARING AROUSES SYMPATHY

Miss Byington Recites Piti-ful Tale of Conditions in the Homestead Mills.

Squalid conditions in the home life of employees in the steel industry were graphically described before the Stanley Steel Committee today by Miss M. F. Byington, a Pittsburgh Social Survey worker.

Miss Byington, who is the author of a book called "Homestead," on the home life of workers in the Homestead mills, related her experiences among the steel laborers in the winter of 1907-8. She gave a set of figures on the cost of living among the workers, based on actual accounts kept for her by ninety families of Homestead during her investigation.

## Will Hear Oakley.

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## Dismissed by Cabinet.

The various phases of the trouble in the southern republic were fully discussed at the meeting of the Cabinet held this morning. Secretary of State Knox and Secretary of War Stimson reported upon the developments within the last three days, and the latter told the Cabinet of the readiness of the American army for field service. If Secretary Stimson was given instructions to proceed with another mobilization, however, the fact was not discussed afterward.

## Activity Continues.

At the War Department it was admitted that the army activity continued and that the plans for a campaign were maturing. It was added that all this was merely precautionary.

Information was received at the War Department this morning that Colonel Steever at El Paso, saying that the thirteen Mexicans captured on the American side of the line might not be prosecuted, as they had put up the plea they did not know that they were on American soil.

The statement was also made at the War Department that Lieutenant Colonel Sturgis, of the field artillery, had been ordered into Texas to inspect all available stores for mobilization purposes. He will go to Houston, Galveston, as well as to San Antonio, to look over the ground and to advise the War Department, should the army be again sent into Texas to guard American interests beyond.

## Would Be Able To Give Strength Of Militia Early

Lieut. Col. Samuel E. Smiley, adjutant general of the District National Guard, is awaiting the Department sent out by the War Department today to the commanding officers of the militia of the country, for information regarding the number of men each could dispatch (Continued on Second Page.)

## IN CONGRESS TODAY

SENATE.  
No session of the Senate today. Will meet Monday.

Test of the dictagraph before special committee in the Lorimer case. Hearing on Benning road bill before the Senate District Committee.

Interstate Commerce Committee hears O. H. Hall, of Pittsburgh, who gives views on corporation control matters. Hearing on charges against A. F. Swain, of Delaware, before subcommittee of Judiciary Committee.

## HOUSE.

House met at noon. Committee on Labor won its fight to retain jurisdiction of a bill establishing a children's bureau. Bill will probably be called up and passed in a few days, following the action in the House today.

House considered private pension bills. Stanley steel committee continued its hearings.

Former Postmaster General Cortes appeared before the committee investigating the Postoffice Department. Foreign Affairs Committee continued hearing on the Rainey bill to investigate the acquisition of the Panama strip.

## White House Callers.

SENATORS.  
Burton, of Ohio. Warren, of Wyo. Curtis, of Kan. Kinkaid, of Neb. Butler, of Pa. Kinkaid, of Neb. Wilder, of Miss. Mont, of Pa. Maher, of N. Y. Smith, of Mich. Anthony, of Kan.